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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/569,077-Conf. #2613	
	Filing Date	February 21, 2006	
	First Named Inventor	David S. GARVEY	
	Art Unit	1609	
	Examiner Name	HAVLIN, R.	
Total Number of Pages in This Submission	2	Attorney Docket Number	0102258.00172US5

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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Signature			
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Date	May 23, 2007	Reg. No.	53,212



UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Garvey et al**

Application No: **10/569,077**

Group Art Unit: **1609**

Filed: **February 21, 2006**

Examiner: **R. Havlin**

For: **Nitrosated and Nitrosylated Cardiovascular Compounds, Compositions and Methods of Use**

Attorney Docket No: **102258.172 US5**

Commissioner of Patents
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**Provisional Response to Restriction Requirement and
Request for Reconsideration of Restriction Requirement Under 37 C.F.R. § 1.143**

I. Introductory Comments

This response is submitted in reply to the Restriction Requirement dated May 11, 2007, for which a response is due on or before June 11, 2007.

No fee is believed to be due; however, the Commissioner is authorized to charge any necessary fees or credit any overpayments to Deposit Account No. 08-0219 to maintain the pendency of the present application.

II. Provisional Response to Restriction Requirement

Applicants provisionally elect Group I, claims 1-6, 13-17, and 23-25¹ drawn to a product with a nitro group, with traverse.

Additionally, Applicants elect the following species compound, with traverse: the compound of Example 1, ethyl (2S)-2-(((1S)-2-((2S)-2-(((1S,2S,5S,6R)-6-(nitrooxy)-4,8-dioxabicyclo(3.3.0)oct-2-yl)oxycarbonyl)pyrrolidinyl-1-methyl-2-oxoethyl)amino)-4-phenylbutanoate, with the following structure:

¹ Applicants assume that the Examiner intended to refer to claims 23-25, not claims 23, 24, and 26. Claims 1-25 are currently pending in the application.